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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,795	12/26/2001	Kenneth R. Stuart	2102440-900110	7210

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EXAMINER	
DHARIA, PRABODH M	
ART UNIT	**PAPER NUMBER**
2629	

NOTIFICATION DATE	DELIVERY MODE
04/30/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PatentDocketingUS-PaloAlto@dlapiper.com

Office Action Summary	Application No.	Applicant(s)	
	10/032,795	STUART ET AL.	
	Examiner	Art Unit	
	PRABODH M. DHARIA	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 December 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-69* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,4,7,13,16,19,22,26,28,32,35,41,44,47,50,52,56,58,61,64 and 68* is/are rejected.

7)☒ Claim(s) *2-3,5-6,8-12,14-15,17-18,20-21,23-25,27,29-31,33-34,36-40,42-43,45-46,48-49,51,53-55,57,59-60,.62-63,65-67 and 69.* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 December 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to Applicant's Patent Application, Serial No. 10/032,795, with a File Date of December 236, 2001.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 16, 25, 44 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong (WO 99/13415) taken with Tarbox et al. (USP 6,020,889).

Relative to claims 1, 126, 25, 4 and 58, Wong **teaches** an image information management System including an image archive server a media content distribution and display system, comprising: a central server for receiving and storing a plurality of media content, wherein each of the media content has one or more attributes associated therewith that relate to characteristics of the media content; an electronic network for communicating with the central server; and a plurality of remote display devices for receiving via the electronic network the media content from the central server, wherein each of the remote display devices includes: at least one electronic display (pg.. 4, lines 32-33; pg. 5, lines 1-12 and Fig. 1).

Wong **does not teach** one or more target attributes associated with the remote display device that relate to environmental variables of the remote display device, and a biasing engine for comparing the media content attributes with the target attributes, and for causing the electronic display to display only those of the media content having one or more of the attributes associated therewith that satisfy a predetermined matching criteria with respect to the one or more target attributes.

Tarbox et al. **teaches** a computer managed communication network with user interactive access via a plurality of display terminals (col. 1, lines 34-67 and col. 2, lines 1-37); Tarbox et al. further **teaches** one or more target attributes associated with the remote display device that relate to environmental variables of the remote display device, and a biasing engine for comparing the media content attributes with the target attributes, and for causing the electronic display to display only those of the media content having one or more of the attributes associated therewith that satisfy a predetermined matching criteria with respect to the one or more target attribute (col.2, lines 9-27 and Abstract).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide to the device as taught by Wong, the feature as taught by Tarbox et al. in order to put in place the means to distribute the media content data to the one of the plurality of remote display devices based on the attribute associated with the remote display.

Regarding claims 19, 47 and 61, Wong further **teaches** the system further comprising: at least one user device for submitting via the network the media content and the attributes associated therewith to at least one of the remote display devices (col. 4, lines 32-33, col. 5, lines 1-12 and Fig. 1).

4. Claims 4 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong taken with Tarbox et al. as applied to claims 1 and 28 respectively in item 3 hereinabove, and further in view of Brown et al. (USP 6,032,119).

Regarding claims 4 and 32, Wong taken with Tarbox et al. **does no teach** a media content distribution and display system comprising at least one user device for submitting via the network the media content and the attributes associated therewith to the central server.
Brown **teaches** a data distribution system (col. 2, lines 1-67 and col. 3, lines 1-8); Brown further **teaches** a media content distribution and display system comprising at least one user device for submitting via the network the media content and the attributes associated therewith to the central server col. 3, lines 60-67; col. 4 lines 1-32 and Abstract).
It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide to the device as taught by Wong taken with Tarbox et al. the feature as taught by Brown in order to put in place a user input device for submitting media content and the attributes associated therewith to the central server.

5. Claims 7, 22, 35, 50 and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong taken with Tarbox et al. as applied to claims 1, 16, 28, 44 and 59 respectively in item 3 hereinabove, and further in view of Yuki (USP 5,606,336).

Relative to claims 7, 22, 35, 50 and 64, Wong taken with Tarbox et al. **does no teach** a system wherein each of the remote display devices further comprises: hardware sensors for measuring the environmental variables of the remote display device.

Yuki **teaches** a display control apparatus (col. 1, lines 13-40); Yuki further **teaches** a system wherein each of the remote display devices further comprises hardware sensors for measuring the environmental variables of the remote display device (col. 2, lines 17-31 and Fig. 4 item 22). It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide to the device as taught by Wong taken with Tarbox et al. the feature as taught by Yuki in order adapt sensors to the remote displays in order for the display control systems to compensate for any environmental variables that might effect the performance to the display device.

6. Claim 52 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wong taken with Tarbox et al. as applied to claim 44 in item 3 hereinabove, and further in view of Lipkin (USP 5,999,944).

Regarding claim 52, Wong taken with Tarbox et al. **does not teach** the method step of storing the media content on a local storage mediums of the remote display devices. Lipkin **teaches** graphics data processing (col. 4, lines 35-67 and col. 5, lines 1-35); Lipkin further **teaches** the method step of storing the media content on a local storage mediums of the remote display devices (col. 4, lines 19-22),
It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide to the device as taught by Wong taken with Tarbox et al. the feature as taught by Lapkin in order to supply storage mediums with the remote display device.

Allowable Subject Matter

7. Claims 2-3, 5-6, 8-12, 14-15, 17-18, 20-21, 23-25, 27, 29-31, 33-34, 36-40, 42-43, 45-46, 48-49, 51, 53-55, 57, 59-60, 62-63, 65-67 and 69 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Relative to claims 2, 17, 30, 45 and 59, the major difference between the teachings of the prior art of record (WO 99.13415, Wong; USP 6,020.889, Tarbox and USP 6,032,119, Brown) and that of the instant invention is that said prior art of record **does not teach** a media content distribution and display system wherein the one or more target attributes associated with one of the plurality of remote display devices is different from the one or more target attributes associated with another one of the plurality of remote display devices.

Regarding claims 5, 20,33, 48 and 62, the major difference between the teachings of the said prior art of record and that of the instant invention is that said prior art of record **does not teach** a media content distribution and display system wherein a predetermined matching criteria includes whether any of the media content attributes match any of the target attributes.

Regarding claims 9 and 37, the major difference between the teachings of the said prior art of record and that of the instant invention is that said prior art of record **does not teach** a media content distribution and display system wherein each of the remote display devices further comprise: a local storage medium for storing the media content received from the central server.

Regarding claims 14, 27, 42, 57 and 69, the major difference between the teachings of the said prior art of record and that of the instant invention is that said prior art of record **does not teach** a media content distribution and display system wherein for the one remote display device: for each of the electronic displays, one or more target attributes are associated therewith that relate to environmental variables of the electronic display, the one or more target attributes associated with one of the electronic displays are different from the one or more target attributes associated with another one of the electronic displays, and the biasing engine causes each one of the electronic displays to display only those of the media content having one or more of the attributes associated therewith that satisfy a predetermined matching criteria with respect to the one or more target attributes associated with the one electronic display.

Regarding claims 15 and 43, the major difference between the teachings of the said prior art of record and that of the instant invention is that said prior art of record **does not teach** a media content distribution and display system further comprising: a plurality of the central servers for receiving and storing the plurality of media content.

Regarding claims 25, 40, 55 and 67, the major difference between the teachings of the said prior art of record and that of the instant invention is that said prior art of record **does not teach** a media content distribution and display system wherein predetermined matching criteria for each one of the remote display devices includes consideration of whether the media content is locally stored on the one remote display device.

Regarding claims 10, 24 and 38 the major difference between the teachings of the said prior art of record and that of the instant invention is that said prior art of record **does not**

teach a media content distribution and display system wherein each of the remote display devices further comprise: a retrieval search engine that searches for and retrieves via the network any of the media content having attributes that satisfy the predetermined matching criteria but are not stored on the local storage medium.

Regarding claims 23, 36, 51 and 65, the major difference between the teachings of the said prior art of record and that of the instant invention is that said prior art of record **does not teach** a media content distribution and display system wherein each of the remote display devices further comprises: software sensors for measuring the environmental variables of the remote display device.

Regarding claim 29 the major difference between the teachings of the said prior art of record and that of the instant invention is that said prior art of record **does not teach** a media content distribution and display system wherein the biasing engine is located at the central server.

Regarding claim 60 the major difference between the teachings of the said prior art of record and that of the instant invention is that said prior art of record **does not teach** a method wherein the predetermined matching criteria for one of the plurality of remote display devices is different from the predetermined matching criteria for another one of the plurality of remote display devices.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent No.	6,649,626	Edwards et al.
U.S. Patent No.	6,121,593	Mansbery et al.
U. S. Patent No.	5,950,207	Mortimore et al.
U. S. Patent No.	4,761,641	Schreiber

To Respond

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VINCE E. KOVALICK whose telephone number is (571)272-7669. The examiner can normally be reached on Monday-Thursday 7:30- 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vincent E Kovalick/
Examiner, Art Unit 2629
September 5, 2008

/Bipin Shalwala/
Supervisory Patent Examiner, Art Unit 2629